

2/17/09

L-46-09 vaz

ORDINANCE NO. 46-09

BY: **SCOTT M. TUMA**
(By Request – Law Director)

AN ORDINANCE TO ENTER INTO A SETTLEMENT AGREEMENT BETWEEN THE CITY OF PARMA AND THE PLAINTIFFS IN THE CASE KNOWN AS MICHAEL RAGAN, ET AL. V. CITY OF PARMA, ET AL., AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. That a Settlement Agreement between the City of Parma and the Plaintiffs in the case known as Michael Ragan, et al. v. City of Parma, et al. is hereby accepted by the Council of the City of Parma in the amount of 1.4 million dollars (\$1,400,000.00), with two-hundred fifty thousand dollars (\$250,000.00) representing the City's self-retention amount.

Section 2. That the Law Director is hereby authorized to enter into said Agreement, and present said Agreement to court in settlement of the case known as Michael Ragan, et al. v. City of Parma, et al., Case Nos. CV-06-585177 and CV-08-647289, and CA-08-091863.

Section 3. That funds for said settlement shall be paid from Fund No. _____, Account No. _____.

Section 4. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of the City of Parma, and for the further reason that this measure is necessary in order to resolve the pending lawsuit with the Plaintiffs in the case known as Michael Ragan, et al. v. City of Parma, et al., and this Ordinance shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____
PRESIDENT OF COUNCIL

ATTEST: _____ APPROVED: _____
CLERK OF COUNCIL

FILED WITH
THE MAYOR: _____
MAYOR, CITY OF PARMA, OHIO